

**Introduced by Committee on Local Government (Senators Wiggins
(Chair), Aaenstad, Cox, Kehoe, and Wolk)
(Coauthor: Senator Florez)
(Coauthor: Assembly Member Huber)**

January 27, 2009

An act to amend Sections 53234 and 53235.1 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 106, as introduced, Committee on Local Government. Local agencies: ethics training.

Existing law requires all local agency officials to receive training in ethics, at specified intervals, if the local agency provides any type of compensation, salary, or stipend to those officials. Existing law defines "local agency," for these purposes, to mean a city, city and county, charter city, charter county, charter city and county, or special district.

This bill would include a community college district, county board of education, and school district in the definition of "local agency." The bill would also require local agency officials who serve a community college district, county board of education, or school district as of January 1, 2010, to receive ethics training by January 1, 2011, and at least every 2 years thereafter, except as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 53234 of the Government Code is
2 amended to read:

1 53234. For the purposes of this article, the following terms
2 have the following meanings:

3 (a) “Legislative body” has the same meaning as specified in
4 Section 54952.

5 (b) “Local agency” means a city, county, city and county, charter
6 city, charter county, charter city and county, ~~or~~ special district,
7 *community college district, county board of education, or school*
8 *district.*

9 (c) “Local agency official” means the following:

10 (1) Any member of a local agency legislative body or any
11 elected local agency official who receives any type of
12 compensation, salary, or stipend or reimbursement for actual and
13 necessary expenses incurred in the performance of official duties.

14 (2) Any employee designated by a local agency governing body
15 to receive the training specified under this article.

16 (d) “Ethics laws” include, but are not limited to, the following:

17 (1) Laws relating to personal financial gain by public servants,
18 including, but not limited to, laws prohibiting bribery and
19 conflict-of-interest laws.

20 (2) Laws relating to claiming perquisites of office, including,
21 but not limited to, gift and travel restrictions, prohibitions against
22 the use of public resources for personal or political purposes,
23 prohibitions against gifts of public funds, mass mailing restrictions,
24 and prohibitions against acceptance of free or discounted
25 transportation by transportation companies.

26 (3) Government transparency laws, including, but not limited
27 to, financial interest disclosure requirements and open government
28 laws.

29 (4) Laws relating to fair processes, including, but not limited
30 to, common law bias prohibitions, due process requirements,
31 incompatible offices, competitive bidding requirements for public
32 contracts, and disqualification from participating in decisions
33 affecting family members.

34 SEC. 2. Section 53235.1 of the Government Code is amended
35 to read:

36 53235.1. (a) Each local agency official in local agency service
37 as of January 1, 2006, except for officials whose term of office
38 ends before January 9, 2007, shall receive the training required by
39 subdivision (a) of Section 53235 before January 1, 2007.
40 Thereafter, each local agency official shall receive the training

1 required by subdivision (a) of Section 53235 at least once every
2 two years.

3 *(b) In the case of a school district, each local agency official in*
4 *local agency service as of January 1, 2010, except for officials*
5 *whose term of office ends before January 1, 2011, shall receive*
6 *the training required by subdivision (a) of Section 53235 before*
7 *January 1, 2011. Thereafter, each local agency official shall*
8 *receive the training required by subdivision (a) of Section 53235*
9 *at least once every two years.*

10 ~~(b)~~

11 (c) Each local agency official who commences service with a
12 local agency on or after January 1, 2006, shall receive the training
13 required by subdivision (a) of Section 53235 no later than one year
14 from the first day of service with the local agency. Thereafter, each
15 local agency official shall receive the training required by
16 subdivision (a) of Section 53235 at least once every two years.

17 ~~(e)~~

18 (d) A local agency official who serves more than one local
19 agency shall satisfy the requirements of this article once every two
20 years without regard to the number of local agencies with which
21 he or she serves.